

REMARKS

Claims 1-8 were pending in this application. The Examiner has acknowledged that claims 4 and 7 would be allowable if rewritten to overcome the rejections of 35 U.S.C. § 112, second paragraph, addressed below, and to include all of the limitations of the base claim and any intervening claims. Accordingly, Applicants have amended claims 1 and 6 to overcome the indefinite rejections, have incorporated the limitations of allowable claim 4 into claim 1, and have added new claim 9 that includes the limitations of claim 1 and allowable claim 7 depending therefrom. Claims 4 and 7-8 have been cancelled. Applicants have added new claims 10-13 that depend from new claim 9 and correspond to claims 2-3 and 5-6, respectively. Claims 3 and 6 have been amended for antecedent basis purposes. Therefore, claims 1-3, 5-6 and 9-13 are now pending.

35 U.S.C. §112 Rejections

Claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Specifically, the Examiner states that claim 1 includes a phrase containing contradictory terms. Applicants have rewritten claim 1 to include the limitation of "...will transmit a signal only if and as long as...". The asserted indefiniteness of claim 6 has been addressed by rewriting claim 6 to include the limitation of "...wherein the transmitted signal comprises one of light and laser pulses." Applicants believe that the above amendments to claims 1 and 6 overcome the Examiner's indefiniteness rejections. Reconsideration of these rejections is respectfully requested.

35 U.S.C. §102 Rejections

Claims 1-3, 5-6, and 8 stand rejected under 35 U.S.C. § 102(b) for anticipation by U.S. Patent No. 6,728,605 to Lash et al. (incorrectly identified as the Straub patent in the Office Action).

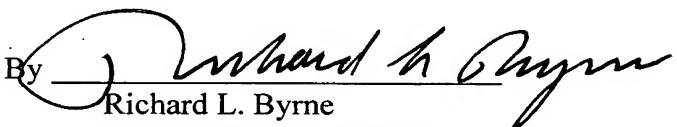
Applicants have amended independent claim 1 to include the allowable subject matter of claim 4. Claims 2-3 and 5-6 depend from amended claim 1. New claim 9 has the limitations of claim 1 and allowable claim 7. Claims 10-13 depend from claim 9. Therefore, amended claim 1, new claim 9, and the respective claims depending therefrom define over the prior art and are in condition for allowance.

CONCLUSION

Based on the foregoing amendments and remarks, reconsideration of the rejections and allowance of pending claims 1-3, 5-6 and 9-13 are respectfully requested.

Respectfully submitted,

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